

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARK KRAMER, :
 :
 Plaintiff, :
 : 04 Civ. 3274 (JSR)
 -v- :
 : ORDER
 MAUREEN GOLDMAN, attending psychiatrist :
 in Bellevue Hospital's emergency :
 room, in her professional and :
 individual capacities, et al., :
 :
 Defendants. :
 -----X

JED S. RAKOFF, U.S.D.J.

On October 24, 2005, the Honorable Michael H. Dolinger, United States Magistrate Judge, issued a Report and Recommendation in the above-captioned matter recommending that the defendant's lawsuit against various New York City health personnel, brought pursuant to 42 U.S.C. § 1983, be dismissed based on plaintiff's written statement that he no longer wishes to pursue the action. Plaintiff has failed to file any objection to the Report and Recommendation, and, for that reason alone, has waived any right to further appellate review. See Thomas v. Arn, 474 U.S. 140, 147-48 (1985); Mario v. P & C Food Markets, Inc., 313 F.3d 758, 766 (2d Cir. 2002); Spence v. Superintendent, Great Meadow Corr. Facility, 219 F.3d 162, 174 (2d Cir. 2000).

Accordingly, the Court hereby adopts the Report and Recommendation, and, for the reasons therein, dismisses the complaint with prejudice. Clerk to enter judgment.

SO ORDERED.



JSD S. RAKOFF, U.S.D.J.

Dated: New York, New York
November 28, 2005